

Area of land (formerly Former McIntyre Nursery),
North of Highdown Vineyard
Littlehampton Road
Ferring
West Sussex

REVISED SUPPORTING STATEMENT
17.09.2021

1.0 Introduction

1.1 Murphy Associates has been appointed by Mark Wood of Premier by Design Ltd to progress a part retrospective and part proposed application relating to Land to the north of the Highdown Vineyard, previously forming part of the former McIntyre Nursery, Littlehampton Road, Ferring. The applicant currently stores small amounts of building materials such as salvaged bricks and tiles on the area of land indicated in the submitted plans and has done so since 2016 and wishes to formalise his activities and the use of the site.

1.2 Due to matters raised at the Validation Stage which included the need for an Arboricultural Assessment. In seeking to ensure the protection of existing trees the recommendations of the report indicated that the two proposed containers would be best sited outside of the identified exclusion zone. Therefore and whilst the red edged site has not been altered, the position of the two containers has been amended to adhere to this advice.

2.0 Background

2.1 Mr Wood has been operating as Premier by Design Ltd Building Contractors and is a well-established and reputable company. He was the owner of the entire plot of land at Premier House (Highdown House) and in addition to land that was in his ownership, he also rented additional land for storage.

2.2 Land at Highdown/the Former McIntyre Nursery site was divided up by the previous owner and sold off or rented in parcels. This is reflected in the summary of planning applications recorded against the site which clearly demonstrates an acceptance by the LPA of other uses.

- 2.3 Due to financial misfortune, Mr Wood was forced to relinquish the majority of the land that he rented and owned including Premier House. He managed to hold onto some small areas of land including the subject site and had been using parts of the area edged red for storage on an ad hoc basis during 2014 which ceased. However with the financial losses that he sustained and no other land to use, he had no choice but to resume some storage on the land. This occurred during part of 2016 and continues up to the present moment in time.
- 2.4 The applicant has no choice but to use the land for storing his stock of salvaged building materials which, at the best of times are hard to come by. The exit from Europe has seen building material costs rise and the added issues impacts with Covid, has now resulted in shortages in supplies, long lead-in times and further increased costs. Work slowed down, projects have been delayed as the lockdowns increased and people started shielding.
- 2.5 It is well recorded that the Government has expressed its support for the construction industry which is seen as having a vital role to play in the economy of the country, the delivery of new homes and making the most effective and efficient use of existing homes. Therefore and in order to honour contracts and deliver on the ground, he salvages old roofing tiles, ridge and hip tiles and brick for re-use. As they are in short supply and now with demand being high, it is essential that they are stored securely.
- 2.6 Premier by Design Ltd Building Contractors employ 5 full-time employees and approximately 40 sub contractors. They build approximately 100 extensions under contract per year. Most of their contracts are located between Worthing and Littlehampton and the ability to store on his own land midway between locations is cost and time effective.
- 2.7 Unlike a number of other building companies, he has managed to retain his staff and pay their wages but it does mean that he has to keep costs down. Thus the rental of land is not a financial option and would increase his overheads. It is therefore more appropriate, cost effective and efficient that he uses his own land and land that was formerly part of the McIntyre Nursery. The use is compatible with those already being carried out on the land to the east.
- 3.0 Subject Site
- 3.1 The subject site is located to the north of the A259 Littlehampton Road and the Highdown Vineyard which is also a wedding venue. It was once part of the McIntyre Nursery site , immediately to the north of Ferring which is confirmed by the assessment carried out by Arborweald Environmental Planning Consultancy. It was also used as a landscape gardening contractor's business. Over time and with the demise of the nursery activities, the main body of the McIntyre Nursery site now accommodates a number of different uses including B1 offices, B8 Storage and Distribution.

- 3.2 The subject site covers an area of 1284 sqm, and sits north of Highdown Vineyard and its associated dwelling. The surrounding landscape to the northwest comprises predominantly horse grazed fields with associated field and boundary hedgerows. Part of the land to the north and north west is covered by a Tree Preservation Order including an area already in use by a fencing contractor.
- 3.3 The site is served by an existing access/ drive off the Littlehampton Road which is a dual carriageway that can only be accessed when travelling eastward. The access leaves the Littlehampton Road and splits to serve Millwood House. The access continues northwards serving The Chalet, a dwelling formerly associated with the Nursery as well as High Down House and lands used for storage and distribution, a fencing company and other building companies for storage. It turns 90 degrees to the west and again in a southerly direction providing access to the subject site as well as other parts of the lands that are used for storage and distribution. And this is confirmed by the more detailed assessment of the characteristics of the site and the ground conditions as set out in the Arborweald Environmental Planning Consultancy's report.
- 3.4 Overall, the impression of the site is that it forms part of a cluster of commercial uses accessed by a private drive from the Littlehampton Road. Although previously used for horticulture, it is clear that uses and activities have changed over time.
- 3.5 The site is a remnant of the former horticultural site. It may be outside of a defined development boundary but as recognised by the Inspector in determining a recent appeal – reference APP/C3810/W/21/326931, it sits between lands with the mix of commercial uses to the east, including offices, scaffolders' yard, a firewood yard, fencing yard, as well as stationing of storage containers, and further commercial uses to the west. Various uses have been lawful for some time and/or have received planning permission.
- 3.6 The land to the south is within the ownership of Highdown Vineyard which has dense planting to its boundaries and provides a strong backdrop to the site when viewed from the north. The property and grounds as a wedding venue.
- 3.7 Although technically within the countryside and a settlement gap between Angmering and Worthing, the use of the site as proposed would not be inappropriate in this location as it can support the limited use and the stationing of 2 no. storage containers.
- 4.0 Relevant Planning History
- 4.1 The history of the former McIntyre nursery site is quite complex particularly as it has history prior to being known as McIntyre's Nursery but the list below is an example of the rich history relating to this site.

FG/28/56/B - Littlehampton Road north of Ferring. Glasshouse. Permitted

FG/166/57 - Littlehampton Road north side Ferring. Outline application for form foreman's dwelling. Approved.

FG/36/58 - Littlehampton Road Ferring. Farm foreman's dwelling. Approved

FG/60/56 - Littlehampton Road off Ferring. Outline application for 1/4 acre glasshouse. Approved

FG/154/81 - The Chalet Littlehampton Road Ferring. Packing shed for storage of packing materials accommodation of nursery. Approved

FG/50/77 - Hillview Nursery Littlehampton Road Ferring. Glasshouse extension for horticultural purposes. Approved.

FG/23/84 - The Chalet Littlehampton Road Ferring. Erection of a Marley Majestic double garage. Approved.

FG/93/93 - A P McIntyre & Sons Ltd Littlehampton Road Ferring Worthing. 2 No. multi-span greenhouses clad in polythene. Approved

FG/124/94 - A P McIntyre & Sons Ltd Littlehampton Road Ferring Worthing. 2 small polytunnels. Approved.

FG/1/97 - A P McIntyre & Sons Ltd Littlehampton Road Ferring. Horticultural pack house. Approved.

FG/80/00/ - Part Of McIntyre's Nursery Littlehampton Road Ferring. Proposed agricultural chalet bungalow & garage (Departure from development plan). Allowed on Appeal

FG/129/00/ - P A P McIntyre & Sons Ltd. Part of McIntyre's Nursery Littlehampton Road Ferring. Demolish existing offices and provide replacement offices for McIntyre's Nursery. Allowed on Appeal.

FG/160/05/ - Highdown Farm Littlehampton Road Ferring. Avondale Properties Ltd. Change of use of redundant horticultural packhouse to B1/B8 (Business/Storage/Distribution) use.

FG/98/06/ - Premier House (Former Highdown Nursery) A259 Littlehampton Road. Premier By Design Limited. Continuance of use without compliance with condition no 2 imposed on planning permission FG/80/00 relating to occupation restriction – agricultural. Refused (land to front of site with dwelling)

FG/59/10/ - Land North of McIntyres Nursery Littlehampton Road Ferring BN12 6PG. Change of use from former agricultural nursery to B8 storage and wholesale supply of fencing and associated materials (This application is a Departure from the Development Plan). Approved.

FG/135/19/PL - Silo at Former McIntyre Nursery Littlehampton Road Ferring BN12 6PG. Demolition of a silo & erection of an office building (B1(a) Business), 6 No. parking spaces for office workers & erection of boundary fencing. Approved.

FG/123/20/PL - Land at former McIntyre Nursery Littlehampton Road Ferring BN12 6PG Demolition of a polytunnel, storage building & scaffolders' shelters & racking, use of land for Class B8 container self-storage & the siting of 79 No. single-stacked storage containers, part regrading of the ground, new fencing, CCTV & lighting. This site is in CIL Zone 3 (Zero Rated) as other development & is a Departure from the Development Plan. Allowed on Appeal - 19 July 2021.

5.0 Planning Case

- 5.1 As indicated above, the site lies within an area where there is a cluster of commercial uses. It lies in countryside outside any defined settlement boundary, and in a settlement gap between Angmering and Worthing as designated in the Arun Local Plan. There is another commercial operation to the west of the site, the vineyard and wedding venue to the south and there are some residential properties nearby.
- 5.2 It is accepted that planning permission is required for the use of the site and with that the LPA should recognise the needs of a local business who need to securely store materials for their construction business. Without being able to salvage materials and storage them safely, the applicant's ability to function and deliver on contracts will be severely hampered. He has already suffered the loss of the land that he once owned on the west side and due to financial misfortune, was only able to retain small parcels of land which can be seen edged blue. The smaller area to the west is effectively 'locked' as in there is no vehicular access to it which makes it impossible to load and off-load materials. Access is only 'permitted' on foot on an informal basis.
- 5.3 Policy C SP1 of the Arun Local Plan recognises the countryside for its intrinsic character and beauty. Policy SD SP3 protects the generally open and undeveloped gap between settlements. At the same time, both support limited forms of development where they are appropriate to the countryside, and would not undermine the physical or visual separation between settlements, either individually or cumulatively. We consider that the low-key use would sit comfortably within the site particularly due to the characteristics of this part of the countryside gap, the surrounding uses and the backdrop of trees to the land to the south.
- 5.4 As the applicant owns the adjacent site to the north, there is an opportunity to provide a planting scheme to soften the appearance of the boundary fencing, delivering net increases in biodiversity and ecological value of the site, improving greenlinks and networks. The piece of land is well screened from the south and west and partially from the east. As with the northern boundary, additional planting could be provided. It should however be recognised that it is also viewed in conjunction with other commercial uses

and buildings including the adjacent container storage use, a car repair yard and a fencing and landscaping supplies yard.

- 5.5 Therefore, the proposed storage use would not intrude into the countryside, nor would it physically or visually erode the sense of separation between neighbouring settlements. The storage containers are not overly high and their darker green colouring would ensure that they would not be prominent in the landscape.
- 5.6 Policy EMP DM1 supports the retention and enhancement of existing employment sites. It also supports the grant of planning permission on employment sites outside built-up areas provided that a number of criteria are met, including that it would be an appropriately sized extension of an existing employment site and/or redevelopment of existing commercial premises, and would have a sympathetic relationship to the surrounding area. This site formed part of the former McIntyre Nursery. It is related to an existing business that occupied land within in the main area to the east but as explained for financial reasons, the overheads cannot be sustained and at the same time ensure employees can be retained. The site is that still within the applicant's ownership is effectively locked and does not provide the ease of access required for vehicles as the subject site does. Therefore and being mindful of the long history of the site and the fact that it is retained within the applicant's ownership and control, its use for the purposes stated, would provide essential support for his construction business and security for valuable salvaged materials.
- 5.7 It is therefore considered that the part retrospective and proposed use is supported by Policy EMP DM1. Criterion (f) of Policy C SP1 allows for development in the countryside where it is in accordance with other policies in the Plan which refer to a specific use or type of development. As the proposal is supported by Policy EMP DM1 and does not harm the character or appearance of the countryside, it is considered that it would accord with Policy C SP1 of the Arun Local Plan.
- 5.8 The storage containers as shown in the submitted plans would be utilitarian in appearance and the same as those permitted on the adjacent site and those recently allowed on appeal. They are easy to install and avoid disruption through extended construction activity. They therefore accord with Policy D DM1 of the Arun Local Plan, which relates to form and design quality.
- 5.9 It would not undermine the physical and/or visual separation of settlements and would not compromise the integrity of the gap between Angmering and Worthing, either individually or cumulatively with other existing or proposed development including that recently allowed on appeal. It would relate to an existing use of the contained site owned by the applicant but in a location that is more practical. Given the business activities of the applicant and financial position, it would be impractical to locate the storage activities elsewhere. It is therefore considered that the proposal accords with Policy SD SP3 of the

Arun Local Plan, which seeks to prevent coalescence and retain the separate identity of neighbouring settlements.

- 5.10 The proposal is not in conflict with Policy 7 of the Ferring Parish Neighbourhood Plan as it would not result in a change of use from a horticultural use (that already having taken place as a result of the enforcement appeal) and meets the criteria as set out in that policy.
- 5.11 It is also considered that no impacts on the South Downs National Park which is further to the north and north east or to the Highdown Conservation Area. The change of land use proposal provides an opportunity to improve arboricultural value to the site if management recommendations for retained trees are carried out and if native hedge and screen planting recommendations are implemented. As indicated by Arborweald, the proposal to change the use of the land would provide an opportunity to improve the arboricultural value of retained trees as well as implementing new planting to add arboricultural, biodiversity and ecological value. The report contains recommendations for stacking and storage, clearly defining the access/entrance, the careful undertaking of the installation of the proposed security fencing.
- 5.12 The regularisation of the site for storage presents an opportunity to plant native hedge species and climbing plants adjacent to the proposed security fence at the northern boundary of the site will improve arboricultural value, as well as providing a natural screen from the landscape to the north, complementing the existing established boundary planting. The proposed location and access to the storage shipping container will be sited well away from group 1 RPAs
- 5.13 The use of the site would not generate a noticeable increase in vehicular movements and would not therefore lead to concerns for the use of the access leading to the site or the entry point of the Littlehampton Road. Having consulted National records, there have been traffic incidents in the immediate vicinity of the site in the past few years, the last recorded on the eastbound carriageway to the west of the Quercus Nursery in 2016 and another just to the east of the Yeomans Car Sales site in 2018.

Conclusions

- 5.14 The applicant is agreeable to conditions being imposed that accord with paragraph 55 of the NPPF, 2021 which could include time periods for the provision of fencing/gates, colour of fencing and the two containers (dark green has been suggested), landscaping details and planting, external lighting, parking provision if considered necessary using geomembranes allowing grass to grow through. Where additional mitigation is required, the applicant is prepared to discuss the requirements of the Council to ensure a satisfactory outcome to this case.
- 5.15 As it is considered that the proposal accords with the development plan and national policies, it is considered that the application should be supported as a refusal would

effectively shut this business down and result in the loss of employment for permanent staff and its subcontractors.

- 5.16 On behalf of the applicant, we would be willing to engage with the appointed officer to discuss matters thoroughly particularly as this is a policy compliant, low-key proposal. This includes the recommendations of Arbor Weald on tree issues, additional planting, storage positions. On the basis of the content of this statement, there are no material considerations that should stand in the way of permission being allowed.